

MTIP frequently receives questions about how to perform a patent search. Traditionally, this was a task requiring a professional patent searcher who would dig through the records at a federal patent depository. However, with the patent database now available online, you can perform your own preliminary search. This effort doesn't replace that by a professional, but can be very instrumental in making patentability decisions without incurring costs.

Steps for beginner patent search efforts

1. **Free access to a US Patent & Trademark Office (USPTO) patent database** can be had at www.uspto.gov. Select "Search" under the Patents menu. To get started, select the Quick Search option under "Searching Full Text Patents (Since 1976)."
2. **Keyword search:** You will need to apply ordinary online search skills in the process of identifying suitable keywords. Searching one or two simple words in "all fields" is going to pull up thousands of patents. You will want to experiment with different word combinations – ideally, selecting elements that will narrow the search to those patents bordering your invention. Using a novel prosthetic foot with spring-loaded energy return as an example:
 - "foot" nets over 19,000 patents
 - "prosthetic foot" nets 359 patents
 - "prosthetic foot energy" nets 18 patents

After reviewing the patents yielded in the search, you can experiment with substitute terms to get into the patents most closely resembling your area of inventing. For example, "artificial foot" nets 243 patents which may not have used the word "prosthetic". As you develop more search skills, exhaust different combinations of the keywords for your invention to learn what will yield the most valuable results.

3. **Classifications search:** Every invention can be defined under one or more classification numbers. Performing a classification search can help you focus in more tightly on those patents most closely related to your own. The US Patent Classification Manual can be searched at: <http://www.uspto.gov/web/patents/classification>.

Start off by performing a key word search at this site to locate the range of classification codes that might relate to your invention. Or you can get a sense of direction by opening some of the patents located in your patent keyword search and reviewing the Class Codes displayed in the opening information. The 18 "prosthetic foot energy" patents show a range of Class Codes from 623/24 through 623/56. Searching on Class 623 reveals that it relates to artificial body members (prostheses) and the Subclass 53 is specific to a foot. Other sub-classifications can help you hone in on prosthetics using energy return devices such as fluid cushioning (623/56) or springs (623/52). However, those classifications may not be specific to the prosthetic foot.

Returning to the patent Quick Search page, you can insert "623/52" (indicating prosthetics with springs) in Term 1 and adjust the selected field to Current US Classification. Then, by inserting "foot" in Term 2 for "all fields," will yield a highly qualified list of 108 patents directly related to a prosthetic foot with spring-loaded energy return. The insertion of additional key words can further refine the search.

Keep in mind that this is a very preliminary approach, and be cautious about overreacting to a patent that appears to be the same as your own concept. Read the claims section and embodiments carefully to understand where there might be overlap, or barriers to your invention. Also, don't forget that a separate search must be performed to view published patent applications (return to the search webpage for that option). This effort still will not give you full access to everything that has been filed and is pending – just that which has been subject to publication. Interpreting what you have found in the search can be a challenge. Therefore, consult with patent counsel to better understand how other patents impact your own invention.

